

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	09/904,311	GULER ET AL.
	Examiner Alain L. Bashore	Art Unit 1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 5-9-07.
2.  The allowed claim(s) is/are 22-47.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**ALAIN L. BASHORE  
PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment and arguments, filed 5-9-07, with respect to the 35 USC 101 and 112 rejections have been fully considered and are persuasive. The previous rejections have been withdrawn.

### ***Allowable Subject Matter***

2. Claims 22-47 are allowed. The drawings filed 7-11-01 are acceptable.

## **REASONS FOR ALLOWANCE**

3. The following is an examiner's statement of reasons for allowance:

The present invention includes independent claims 22, 26, 30, 34, 39, and 42. Claims 22 recites a method for determining private information and risk attitudes, claim 26 recites a computer system, claim 30 recites a storage medium storing instructions, 34 recites an auction design system, claim 39 recites a method for analyzing auction data, and claim 42 recites a method for analyzing auction data.

Bansal et al is considered the closest prior art. Bansal et al teaches a method for determining risk attitudes for bidders. Auction data is analyzed of previously conducted auctions and risk attitudes for bidders is determined. Additional auctions may be conducted.

Bansal et al does not disclose the claimed combination including:

In Claim 22:

utility-dependent auctions that comprise auctions in which bidding behavior depends on risk attitudes and utility-independent auctions that comprise auctions in which bidding behavior does not depend on risk attitudes;

determining private information using the bids submitted in the utility-independent auctions;

determining risk attitudes using the private information and the bids submitted in the utility-dependent auctions; and

generating a report comprising information associated with at least one of the private information and the risk attitudes.

In Claim 26:

storage that contains auction data from previously conducted auctions, wherein the auction data comprises bids submitted in utility-dependent auctions and bids submitted in utility-independent auctions, wherein the utility-dependent auctions comprise auctions in which bidding behavior depends on risk attitudes and the utility-independent auctions comprise auctions in which bidding behavior does not depend on risk attitudes; and

a processor that can access the storage, wherein the processor determines private information using the bids submitted in utility-independent auctions, and determines risk attitudes using the private information and the bids submitted in utility-dependent auctions;

wherein the processor generates a report comprising information associated with at least one of the private information and the risk attitudes.

In Claim 30:

auction data comprises bids submitted in utility-dependent auctions and bids submitted in utility-independent auctions;

estimate private information using the bids submitted in the utility-independent auctions;

estimate risk attitudes based on the private information and the bids submitted in the utility-dependent auctions, wherein the utility-dependent auctions comprise auctions

in which bidding behavior depends on risk attitudes, the utility-independent auctions comprise auctions in which bidding behavior does not depend on risk attitudes; and generate a report comprising information associated with at least one of the private information and the risk altitudes.

In Claim 34:

utility-dependent auction data for a plurality of utility-dependent auctions and utility-independent auction data for a plurality of utility-independent auctions, wherein the plurality of utility-dependent auctions comprises auctions in which bidding behavior depends on risk attitudes of a first plurality of bidders and the plurality of utility-independent auctions comprises auctions in which bidding behavior does not depend on risk attitudes of a second plurality of bidders;

means for determining market structure, wherein private information for the second plurality of bidders is determined using the utility-independent auction data, and risk attitudes for the first plurality of bidders is determined using the private information and the utility-dependent auction data; and

means for generating a report comprising information associated with at least some of the private information and the risk attitudes.

Art Unit: 1762

In Claim 39:

determining private information for a first plurality of bidders using utility-independent auction data stored in a computer system, the utility-independent auction data comprising auction data from a plurality of auctions in which bidding behavior does not depend on risk attitudes of the first plurality of bidders;

determining risk attitudes for a second plurality of bidders using the private information and utility-dependent auction data stored in the computer system, the utility-dependent auction data comprising auction data from a plurality of auctions in which bidding behavior depends on the risk attitudes of the second plurality of bidders; and generate a report comprising information associated with at least one of the private information and the risk altitudes.

In Claim 42:

data from an auction database, wherein the utility-independent auction data comprises data from auctions in which bidding behavior does not depend on risk attitudes and the utility-dependent auction data comprises data from auctions in which bidding behavior depends on risk attitudes;

determining a joint distribution function that represents private information of a first plurality of bidders using the utility-independent auction data;

Art Unit: 1762

determining a utility of wealth function of a second plurality of bidders using the joint distribution function and the utility-dependent auction data; and

generate a report comprising information associated with at least one of the private information and the risk altitudes.

For these reasons claims 22, 26, 30, 34, 39, and 42 are deemed to be allowable over the prior art of record, and claims 23-25, 27-29, 31-33, 35-38, 40-41, ~~44-47~~<sup>43</sup> are allowable by dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alain L. Bashore/  
Primary Examiner  
Art Unit 1762